

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

<b>(1) Raed Z. Moutassam,</b>	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	
	)	<b>Case No. CIV-16-0068-HE</b>
<b>(1) Oklahoma Department of</b>	)	
<b>Corrections, Michael Shelite, an</b>	)	
<b>individual;</b>	)	
<b>(2) William Weldon, an individual;</b>	)	
<b>(3) Curtis McPheeters, an</b>	)	
<b>individual;</b>	)	
<b>(4) Carl Bear, an individual; and</b>	)	
<b>(5) Michael Addison, an individual,</b>	)	
<b>Defendants.</b>	)	

**STIPULATION OF DISMISSAL**

Plaintiff and defendant file this stipulation of dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

1. Plaintiff is Raed Z. Moutassam; defendants are Oklahoma Department of Corrections, Michael Shelite, William Weldon, Curtis McPheeters, Carl Bear, and Michael Addison.
2. On May 4, 2017, this Court granted summary judgment to all Defendants except for Defendant McPheeters related to FMLA interference.
3. Plaintiff moves to dismiss the suit.
4. Defendant agrees to the dismissal with the following conditions:
  - a. Should this claim be refiled in any subsequent action, the discovery conducted in this matter shall be deemed binding, and discovery on this claim shall be deemed complete in the refiled action.

- b. Upon any refiling of this claim, Plaintiff shall be required to pay Defendants' costs associated with their defense of this claim, pursuant to Fed. R. Civ. P. 41(d).
5. Plaintiff has not previously dismissed any federal- or state-court suit based on or including the same claims as those presented in this case.
6. This dismissal is without prejudice.

Plaintiff respectfully requests this Court to dismiss this action without prejudice.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 15th day of May, 2017, I electronically transmitted the attached document to the clerk of the court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the follow ECF registrants:

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